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8 **UNITED STATES DISTRICT COURT**
9 **FOR THE NORTHERN DISTRICT OF CALIFORNIA**

10 HASTINGS COLLEGE OF THE LAW, a
11 public trust and institution of higher
12 education duly organized under the laws
and the Constitution of the State of
California;
13 FALLON VICTORIA, an individual;
14 RENE DENIS, an individual;
TENDERLOIN MERCHANTS AND
PROPERTY ASSOCIATION, a business
association;
15 RANDY HUGHES, an individual; and
KRISTEN VILLALOBOS, an individual;

16 Plaintiffs,

17 v.

18 CITY AND COUNTY OF SAN
19 FRANCISCO, a municipal entity,

20 Defendant.
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Case No. 4:20-cv-03033-JST

**[PROPOSED] ORDER GRANTING
MOTION OF PLAINTIFFS TO DISMISS
AND/OR TO STRIKE PORTIONS OF
INTERVENORS' AMENDED
COMPLAINT**

Hon. Jon S. Tigar

1 The Court, having considered the Motion of Plaintiffs HASTINGS COLLEGE OF
 2 THE LAW, FALLON VICTORIA, RENE DENIS, TENDERLOIN MERCHANTS AND
 3 PROPERTY ASSOCIATION, RANDY HUGHES, AND KRISTEN VILLALOBOS
 4 (collectively, “Plaintiffs”) to Dismiss and/or to Strike Portions of Intervenor’s Amended
 5 Complaint (the “Motion”); the memorandum and other papers filed in support thereof; the
 6 opposition thereto filed by Intervenor HOSPITALITY HOUSE, the COALITION ON
 7 HOMELESSNESS, and FAITHFUL FOOLS (collectively, “Intervenor”); the pleadings and
 8 other papers of record in this action; the documents and other information of which this Court
 9 has taken judicial notice; and the argument of counsel at the hearing (if any) on this Motion,
 10 and good cause appearing therefor, it is hereby **ORDERED** as follows:

11 1. Plaintiffs’ Motion is **GRANTED**.

12 2. To the extent that Intervenor’s Amended and Supplemental Complaint in
 13 Intervention for Declaratory and Injunctive Relief (the “Amended Complaint”) asserts claims
 14 for relief against Plaintiffs, pursuant to Rules 12(b)(1) and 12(b)(6) of the Federal Rules of
 15 Civil Procedure those claims for relief are **DISMISSED** with prejudice.

16 3. Pursuant to Rule 12(f) of the Federal Rules of Civil Procedure,
 17 Paragraphs 167-184 and Subparagraph b of the Request for Relief in Intervenor’s Amended
 18 Complaint are **STRICKEN**.

19 **IT IS SO ORDERED.**

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 21 Dated: _____

 UNITED STATES DISTRICT JUDGE